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PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

5

Application Number

10/758,187

Filing Date

January 15, 2004

First Named Inventor

Considine et al.

Art Unit

1621

Examiner Name

Davis, B.

Attorney Docket Number

AM-100171

**ENCLOSURES (Check all that apply)**☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☒

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐Reply to Missing Parts/  
Incomplete Application☐Reply to Missing Parts  
under 37 CFR 1.52 or 1.53☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐Petition to Convert to a  
Provisional Application☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD☐

After Allowance Communication to TC

☐Appeal Communication to Board  
of Appeals and Interferences☐Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

☐

Status Letter

☒Other Enclosure(s) (please identify  
below):

- 3 documents

- return receipt postcard

Remarks

Customer No. 38199

Express Mail No. EQ543971911US

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

HOWSON AND HOWSON

Signature

Printed name

Cathy A. Kodroff

Date

May 1, 2006

Reg. No.

33,980

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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AM-100171

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 10/758,187 Confirmation No.: 5603  
Applicant : Considine *et al.*  
Filed : January 15, 2004  
TC/A.U. : 1621  
Examiner : Davis, B.  
Customer No. : 38199  
Title : SYNTHESIS OF 4-(AMINO)-2-BUTENOYL CHLORIDES AND  
THEIR USE IN THE PREPARATION OF 3-CYANO QUINOLINES

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

Applicant submits to the Examiner the attached Form PTO/SB/08A/B document listing and this paper pursuant to 37 CFR § 1.56 and § 1.97-1.98. Form PTO/SB/08A/B is attached and copies of the documents are enclosed herewith. This Information Disclosure Statement is submitted after 3 months from the filing date of this application, but before the receipt of a first Office Action on the merits. Therefore, no fees are believed to be due.

The month of the publication for the Marszak *et al.* document could not be determined. The year of the publication for this document is sufficiently earlier than the effective US filing date and/or foreign priority date of the present application so that the particular month of publication of this document is not an issue (MPEP § 609.04(a)).

Express Mail No. EQ543971911US

**REMARKS**

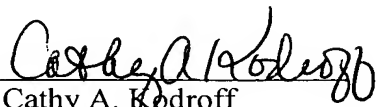
Enclosed with these papers is the "extended European search report" for European Patent Application No. 05019642.7, which is a related foreign application of the instant application. All but two of the documents, Marszak *et al.* and WO 2004/066919, were cited in a previous IDS. Marszak *et al.* was designated as an "X" document and is a foreign publication written in French that allegedly discloses "a compound which falls under the subject-matter of claim 1" in the European patent application. The document describes the synthesis of amino acids and compounds comprising  $(\text{CH}_3)_2\text{N}-(\text{CH}_2)_n-\text{CH}=\text{CH}-\text{COOH}$ , including  $(\text{CH}_3)_2\text{N}-\text{CH}_2-\text{CH}=\text{CH}-\text{COOH}$ . The WIPO document is designated as a "T" document and is the International Application corresponding to the instant application.

The Examiner is respectfully requested to consider the document(s) identified in this paper and in the attached Form PTO/SB/08A/B during the course of examination of this application

The Director is hereby authorized to charge any deficiency in any fees due with the filing of this paper or credit any overpayment in any fees to Deposit Account Number 08-3040.

Respectfully submitted,

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Attorneys for Applicant

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PTO/SB/08A (07-05)

Approved for use through 07/30/2006.

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<b>Substitute for form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/758,187
				Filing Date	January 15, 2004
				First Named Inventor	Considine
				Art Unit	1621
				Examiner Name	Davis, B.
Sheet	1	of	2	Attorney Docket Number	AM-100171

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-			
		US-			
		US-			
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		US-			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	K	WO 2004/066919 A	08-12-2004	Wyeth		

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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